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THOMAS HOPKINS
EXECUTIVE DIRECTOR

Board Meeting Minutes – July 16, 2018 9:00 a.m.
One Ashburton Place, 21st Floor, Conference Room 3

Present Board Members:

- Walter White (WW)
- Andrew Bedar (AB)
- Jeff Dougan Massachusetts Office on Disability (JD)
- Dawn Guarriello (DG)
- Jane Hardin (JH)
- David Johnson (DJ)
- Harold Rhodes (HR)
- Patricia Mendez, (PM)

Board Members Not in Attendance:

- Ray Glazier (RG)

Also in Attendance:

- John High, Assistant Legal Counsel (JH)
- William Joyce, Compliance Officer (WJ)
- Karen Brann, Program Coordinator/Clerk for the Board (KB)

Board Members in Attendance:

JH, PM, AB, HR, David Johnson, DG, Jeff Dougan, WW arrived late.

JH opened the meeting.

Incoming Case Review:

1) Westminster Court Apts., 30-108 Westminster Avenue, Roxbury, V18-213

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Existing 70 unit apartment building. Seeking relief for two items. In 2 bedroom group 2 seeking compliant clear floor space at tub. Transfer space into the tub. Seeking to leave as is.

There was a discussion regarding the accessible route.

WW arrived

HR motioned to continue for staff to get more information from the petitioner.

AB seconded, passed unanimously.

Lack door clearance, proposing to wire for automatic door openers.

DG motioned to grant on the condition there is no cost to the tenant, and the lease language is reviewed by staff. D. Johnson seconded, passed unanimously.

2) New Multi-Family, 259 Gold Street, Boston, V18-214

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New construction, 4 story apartment, 6 units total, 1 floor of parking. Relief to use a vertical lift.

JD motioned to grant. DG seconded, passed unanimously.

3) Village Hill Cohousing, Orlander Drive, Northampton, V18-215

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

New construction, private development. Basement level has two guests rooms, meets transient lodging facility. Bedrooms and a common kitchen.

Relief from common area. Two bedrooms in the common area.

Group 2 piece. Request on stairs to use as secondary entrance. All entrances at grade are accessible. There is an elevator to the basement. Entrance at lower level is not accessible.

JD motioned to grant relief on the basement stairs. PM seconded, passed unanimously.

HR motioned to continue for staff to talk to the building owner regarding plans on 1 bedroom and 1 bathroom being compliant, and if a variance is needed, the petitioner seeks a variance.

JD seconded, passed unanimously.

3) Shady Hill School Building 512 Renovations, 178 Coolidge Hill, Cambridge, V18-217

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of existing school. Multiple variances, didn't provide supporting information.

HR motioned to continue for more information. JH seconded, passed unanimously.

4) Refuge Church of Christ, 46 Milmont Street, Roxbury, V18-218

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Existing church seeking 8 variances.

DG motioned to packet. PM seconded

5) Kingdom Hall of Jehovah's Witnesses, 1672 Washington Street, Newton, V18-219

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of a church. Seeking relief from 25.1 accessible front entrance. Proposing a rear accessible entrance. Have letter of support from Newton Commission on the condition of a portable ramp.

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Second request. The building is two levels. Main level is a gathering area, half of the basement level is an apartment unit, other half is a meeting room and kitchen. No access, asking for relief from providing access. Proposing to hold meetings in another room if needed. Newton Commission condition is that the meetings are to be located on accessible floor when needed.

Front entrance

JD motioned to grant on the condition the area of rescue can be obtained without any change in level, and there is an accessible route. DG seconded, passed unanimously.

LIFT – 28.1 Commission supported on condition programs will be relocated when needed. There is also a baby care room in the basement. The kitchen and baby care room is downstairs.

~~JD motioned to grant on the condition that~~
JD withdrew his motion.

JD motioned to continue for information on what programs are offered in the basement and the use the kitchen, and information related to accessibility of kitchen along with further details of what the use of the baby care room is. JH seconded, passed unanimously.

JD motioned to get a cost estimate for a lift. DG seconded, passed unanimously.

6) Saint Nicholas Orthodox Church, 64-66 Forrester Street, Salem, V18-220

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovations of an existing church. Doing accessibility renovations and seeking 4 variances.

1st -20.11.1 – egress. Looks like they are providing two accessible egresses. Concerned about where they are located.

*JD motioned that no variance is required as compliance is being met.
JH seconded, passed unanimously.*

2nd - main entrance, 10 steps. Proposed an accessible side entrance with a lift.

JD motioned to grant. AB seconded, passed unanimously.

3rd - Raised alter area – seeking no access to the raised alter area. Only used by priests and church officials.

*JD motioned to grant on the condition it is only used by clergy.
DG seconded, passed unanimously.*

4th - Two wheelchair spaces instead of four.

JD motioned to grant. DG seconded, passed unanimously.

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7) Newbury Street Sidewalk, 28 Newbury Street, Boston, V18-221

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of sidewalk to bring it up to code. Over sloped but better than what is existing.

JD motioned to grant. DG seconded, passed unanimously.

8) Martha's Vineyard Museum, 151 Lagoon Pond Road, Martha's Vineyard, V18-222

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Renovation of hospital to museum. No accessible route from public way. Proposes parking and drop off zone. On top of a hill with a giant staircase, also long driveway, 10% slope. They provide parking. There is a route from the ferry. Can there be valet service?

Does the driveway and sidewalk follow natural topography?

~~*HR motioned to continue for the petitioner to review if there is a way to mitigate the issue, and information on their website, etc., that people can make prior arrangements to get to the building.*~~

~~HR motioned to deny. JH seconded, JH, HR, David Johnson~~
WW, PM, AM JD against.

HR withdrew motion previous motion.

JD motioned to grant on the condition an accommodation policy is provided including but not limited to website presence, and how to get to the building, reservation policy and literature to be reviewed by the Board prior to issuance of occupancy permit.

JH seconded, passed unanimously.

9) Fresh Pond Place Condo, 676 Huron Avenue, Cambridge, V18-223

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Seeking to waive the two week waiting period.

JD motioned to wave the two week waiting period. JH seconded, passed unanimously.

Damaged pedestrian bridge needs to be replaced. Seeking full relief on the bridge. Have explored the possibility of ramps and lifts. Pedestrian bridge leads between two rows of units. Was not accessible before the accident.

JD motioned to grant. D. Johnson seconded, passed unanimously.

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10) Nativity Prep School, 66 Spring Street, New Bedford, V18-224
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Requesting to waive two weeks.

PM motioned to waive the two week waiting period. JD seconded, passed unanimously.

Renovation of a school. Seeking 9 variances.

JD motioned for the packet. PM seconded, passed unanimously

11) Berkshire Medical V18-225
Request to waive two week period.

JD granted to waive the two week period, PM seconded. Passed unanimously.

Conversion of house for interns of the hospital.

Lift

*JD motioned to grant on the condition there is a compliant group 2b bathroom or a variance is sought and a there is compliant kitchen turning space or a variance is sought.
DG seconded, passed unanimously.*

12) Church of Latter Day Saints, Plymouth V18-184
New construction of a church. Asking for reconsideration of previous decision on baptismal font to deny. Will make different accommodations if needed. The kitchen fully complies.

JD motioned to accept the kitchen plan. DG seconded, passed unanimously.

~~*HR motioned to affirm the denial of the previous motion on the baptismal font. David Johnson, seconded. DG abstain*~~

HR withdrew the previous motion.

HR motioned to schedule a hearing. JD seconded, Passed unanimously.

JD motioned that prior to the hearing, request the building department records on the project and relative to plan review. PM seconded, passed unanimously.

Hearing

The 1620 Winery, 55 Cordage Park Road, Plymouth (V17-315) - Variance Hearing

Exhibit #1 – Hearing Package AAB 1-70

Patricia Fisher, Architect, Fisher Associates – (PF)

Robert Mullaney, Owner (RM)

Raquel Mullaney, Owner (RM)

The Chair swore the parties in.

JD, DG, HR, AB, JH, WW, PM, DJ

PF – We are here because we have a permitted set of plans by the Plymouth Building Inspector. He objected to something they constructed. This building is from 1800's. Have done renovations agreed to bring up to code. 1/3 of the building is for production of wine the rest is a wedding venue. Common men's and women's rooms built from ground up. In women's we had a plan to create a single use toilet stall with toilet and sink within the stall. Dual purpose for handicapped and for the bride. Large stall. In another area there is an antique piece of furniture for a sink. Plumbing and building inspectors objected that the second sink is not accessible.

PF – We were here before for the main entrance. AAB 15 can see the two entrances. Inside you can see the wine production. The building is open. Not possible to have ramp where other entrance is. Loading dock is also one of the entrances.

WW- Are the handicapped spots marked?

PF- The landlord put up signs but was told to bring the spaces up to code. The owner has told me the landlord has fixed them now.

PF- To the spot on the right there is an opening which is the bottom of the ramp.

WW – There needs to be an access aisle.

Robert Mullaney – They didn't make the stripes like that.

WW- send us a photo.

JD - We are looking at 30.1a bathrooms, entrances to function room, and the parking.

PF – To get the operation open, my clients used savings, agreed to continue to add proper enhancements to building, signage, lighting to second entrance. Wants to wait for income to come in.

WW - We will ask for a drawing and details.

Raquel M – We just have to wait a little bit to execute.

Robert M – There is only so much we can do to second entrance. Right now it is mostly private functions. We want to do nice signage but it is expensive.

PM - We can send pictures.

WW - 30.1

JD – Building inspector is saying that current design does not meet 30.1 a. There are two locations inside stall one outside, each needs an accessible. Each location needs an accessible sink. There are two locations. My interpretation is it doesn't meet the intent.

DG - I see two different plans. I am trying to understand what is built.

PF – AAB 34 has sink at angle and it was changed to straight.

DG – Is there a five foot turning radius outside of stall.

PF - It is very large. Everything is oversized.

Raquel M - we took into consideration it is a function hall, women congregate in the women's room.

HR - The accessible route. Is there an accessible route.

Raquel – Yes

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JH – Instead of using handicapped, use accessible.

PM – Put in website information about the accessible entrance.

Raquel – That is a good idea.

WW- we grant variances for doors but we want the doors to be equal.

Robert M - Some of the things we asked for are not what we wanted, but we are not the owners, the landlord has an issue with parking. Was not going to let us take away parking. We do not have assigned parking, it is all general parking. In the contract with the project with the landlord, we do have to put in two handicapped bathrooms on second phase.

30.1a

HR motioned to grant. JH seconded, passed unanimously.

JD motioned to grant a 1 year time variance until 8/1 /19 to do embellishments and upgrades and signage on the accessible door and drawings to be submitted to the board as soon as possible DG Seconded, passed unanimously.

Parking

*JD motioned for the petitioner to submit photos of the parking area within 30 days.
DG seconded passed unanimously.*

Administrative Discussion:

13) School of the Museum of Fine Arts, 230 The Fenway, Boston, V14-201

Exhibit – Variance Application and associated documents, status report

Mr. Joyce presented the Variance Application and associated documents.

Status report was packeted.

JD motioned to accept the status report. DG seconded, passed unanimously.

14) Mixed-use High Towers, 131-147 Seaport Blvd., Boston, V17-069

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Previously required a copy of valet policy. Policy for review.

JD motioned to accept the valet policy. HR seconded, passed unanimously.

14)Stokes Hall, 59-107 College Road, Chestnut Hill, V18-108

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

BC case. Classroom with a ramp and long steps on the other. Required a handrail. Required to extend handrail a foot plus, each step is 6 feet.

JD motioned to grant. PM seconded, passed unanimously.

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Second request
Wooden beam projects out.

HR motioned to accept. PM seconded, passed unanimously.

15) South High Community School, 170 Apricot Street, Worcester, V18-186
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.

A hearing is scheduled for 8/13/18. They sent a letter addressing questions.

*HR motioned to accept the on the condition the motorized accommodate people in wheelchairs.
David Johnson, passed unanimously.*

16) Tewehado Church of Boston, 24 Maywood Street, Roxbury, V17-115
Exhibit – Variance Application and associated documents
Mr. Joyce presented the Variance Application and associated documents.
Received a new submission. Proposing a ramp on side of building to provide access to front entrance and portable ramp that will have a slope of 1 in 12.

*JD motioned on the portable ramp to grant on the condition the board receives schematics of the portable ramp and a training policy prior to the CO.
DG seconded, David Johnson abstained. Motion passed.*

*JD motioned to accept the plan of the front entrance prior to the CO.
DG seconded, David Johnson abstained. Motion passed.*

The Board broke for lunch.

The Board came back from lunch.

1:00 p.m.
Jefferson Hills Apartments, 1610 Worcester Road, Framingham (C14-115, V17-337)
Complaint and Variance Hearing
Exhibit #1 – Hearing Package AAB 1-127
Josh Safi, KMA (JS)
Stephanie Donlin, Senior Director, Greystar (SD)
Dan Ricci, Construction Director, Greystar(DR)
David Correia, Advocate, MetroWest
William Joyce, Compliance Officer, AAB

The Chair swore the parties in.

WW, PM, JH, AB, JD, HR, DG, D Johnson

WJ – The question on the variance on accessing the pool is the big item and compliance efforts.

The question on accessibility from clubhouse to pool via deck with multi levels. AAB 107.

JS – After the last hearing applicants were notified of some lack of support on variances requested and the Board thought it would be helpful if KMA was here to answer questions.

We put together additional materials we thought would be helpful.

There were six variances requested in total. The clubhouse and pool spans across two different requests. We did submit a memo, AAB 2 and 3, may 18th, #5 clarification, there were additional drawings submitted with the original application, AAB 100, this is a proposal for new site work, creates level landing, compliant ramp, and landing at bottom of ramp. Route turns to the right.

The issue spans a couple variances including accessible parking. Do a total count for the facility and distribute them so the accessible entrances will be served. These two are attended to provide parking to pool and clubhouse. Pool deck level is another barrier. There is a variance attached to this. There are some inaccessible routes. This also provides accessible route from clubhouse to pool deck. The other possible ways to connect route are included in application request #5.

Three options.....

One of the things we realize that was not clear it seems the Board considered the three options and AAB 100 as 4 different ways of making the connection. In reality AAB 100 has to be done regardless. No parking from pool to clubhouse. To require one of the three will double the cost and create two accessible routes. Cost vs. use.

WJ – Concern with route because requires to leave the clubhouse and go out and reenter pool at a different level. Doesn't address access to other levels. Frown upon exterior routes when others are possible.

WW- Is there a better route possible?

JS – AAB 77 this describes a walkway leading to lift traveling 13 feet. My opinion considering impacts on the pool area.....

WW- Is the walkway enclosed?

JS- It might not need to be enclosed.

DG - How high in the air?

JS - 13feet

WJ – AAB 120 pictures of the deck.

JS – AAB78 shows 4 locations for exterior lifts.

JS- Based on feedback doesn't seem desirable.

JS - Third option switchback AAB79. Could be constructed in such a way.....

We haven't looked at it but could get access to 1 of the sundecks. We could work the route of the ramp to be the same elevation. Had conversation with owners, if the board is amenable to having that route.....expand sundeck.....the length that the 13 feet would require to get ramp down there.

DC - Since doing the complaint in 2014 AAB 106 the top picture was one of the side entrances to get to the pool. Not accessible. AAB 108 that was main entrance the top picture. On the bottom picture, before they used to be accessible spots. 10/2016 pictures taken.

The other side entrance has steps going in. If you are going to use the facilities and your kids go to the pool, how are you going to get to your kids?

WJ – There is another alternative AAB 80.

DG –What is over here?

JS - Lawn.

WJ – AAB 109 currently changed to be an employee only.

DG - Can someone access elevator from inside elevator? Can you switch back to at least get access there?

WW- What is the grade?

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

JS – There are 4 vertical changes. First stair is 8 or 9 risers.....
AAB 79 is the better drawing to be looking at.
DG - Might be worth a study.
JW – AAB 107
DG - Might be able to do it within that fence. Make journey along the fence.
JS – There is a fence on the site plan.
JS - If the board gives us the direction we will try to make it a good experience and make it efficiently.
HR - Will one of the four solutions improve accessibility?
JS - Drafted memo to boardwas not in lieu of
HR - Modification of one of these four. Have the architects come to consensus of the best to do?
JS - The simplest would be just the ramp. AAB 79.
HR - Parking spaces have they been taken care of now.
JS - The owner has gone ahead with parking
DC - There are still some spots that do not have anything in the front.
JW – The only parking piece is walkway and curb cut.
JS - There is one parking space, getting parking under the carport. Each building entrance has one accessible parking underneath. Proposing to provide leasing office parking outside not underneath. Want it to be a van accessible space. I think this was objected to?
AB – AAB 79
WJ- The ramp distance is pretty much fixed.
AB –
DG - The 160 seems to include the landings.
WW- The originalif one of the other solutions put in place is parking....
JS - The applicant position is this needs to be done regardless. The question is do we want another accessible route to the....
PR – One of the biggest issue is ledge. We dug up a spot and hit ledge.
DG - Are you looking for approval because it does require a variance.
JD- What was the cost of the project?
JW – AAB 105 you can see the analysis.
What triggered?
JD - Any of those solutions would be minimum 96,000.
JS – correct.
JD - AAB 100, decks 1,2,3, from clubhouse there are three levels, the lift would get you to patio 3, is there an equivalent option.
SD - If you are around edge of pool, one starts at the pool, tier number 1 would be here, 2, 3, 4. Sunbathing starts on the pool deck.
DJ - Is there anything else you would be able to get at the pool level.
No.
JS - At the top.....
JD – from the clubhouse you can get to.....
JS - AAB 79 may be easier to see.
DG - it is open air.
WJ - There are two grills on the patio.
DR – AAB 120 shows open area.
WW – so I am clear on the request... you are asking ...p 100 is going to happen no matter what.
JS – Variance #4 parking
#5 not to construct accessible route in.....

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WW – They are proposing page 100. Granting would allow them to do this. Denying would be to do one of these four.

JD - Back in 2012 they renovated and we are now looking at an additional \$100,000. Give some consideration that this is an existing building trying to work with.

DR – Our position was to do page 100. It is a pool that is used three months of the year.

DG - can a grill be put at the pool level?

WJ - Looking for property card.....

SD - That was not done.

JS – Jurisdictionally the issue is money spent on clubhouse vs cost of clubhouse. The board made a site visit, Jefferson Hill is in processing of making things better. Don't have a total for it but would say it is \$50,000.

DC – They are putting money in front of people with disabilities. The clubhouse has not been accessible. I have to go back to people and tell them they have to take an outside route. There has to be a better solution. This isn't anything like moving walls.

HR - The item you are going to do does it address Mr. Correia's point.

JS - No.

WJ - Went over what was previously granted and continued.

Leasing parking

HR motioned to grant the variance relative to the leasing office AAB 5.

JH seconded, passed unanimously

Parking at fire pit.

JS – It is no longer a fire pit.

DG motioned that variance 3 is not required. JH seconded, passed unanimously.

Variance 4 p 100

HR motioned to grant on original application p21 (AAB 100). D Johnson, seconded, passed unanimously.

Variance 5

DG motioned to continue for a study of options of providing similar amenities, and alternative ramp that gets people to terrace as well as pool. David Johnson seconded, passed unanimously.

JD – Is a time variance needed?

JS – Based on conversation – what I see is that the catwalk to the elevator the board doesn't want to see, four lifts do not want to develop further.

DC- The parking underground, they fixed the curb cuts but turned into ramps. There are no railings.

DR - Those are being installed on Wednesday.

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DR - All the parking spots will be restriped, relocating. This is happening the 18th and 19th. Should be done by Friday.

JS – The letter received from the board only says number 1 has been settled. Didn't receive on number 6 toilet rooms.

WJ – measures 61 instead of 72.

JD motioned to grant relief from 30.7.1 first floor men's room. DG second, passed unanimously.

2:00 p.m. – Harborview Hotel, 131 North Water Street, Edgartown (V18-174) -Variance Hearing
Exhibit #1 – Hearing Package AAB 1-
Jeremy Mason, Howe Engineering (JM)
Rod Jane, Upland Capital (RJ)
Peter Barly, Beacon Architectural Associates (PM)

The parties were sworn in by the Chair.

RJ – Upland capital acquired the hotel January 10 of this year with a vision to improve the hotel. Over the years it has become rundown. There are two buildings involved in phase 1 renovations. Phase 2 on cottages will be down the road. Scheduled to start 10/1/18. It is an old building. Significant challenge.

PB - AAB 27 site plan. First phase, hotel renovations. They are up off the ground. The second phase involves cottage renovations. Will address accessibility of porches. The campus is in historic district. In terms of renovations the hotel has been in construction over a number of years. It has three different levels. AAB 34. On the ground floor we are going to renovate levels to make them equal. Add a new elevator, add new stairs, on the second and third floor - the wings were built at different times and different heights.

AAB 62 – The major building is a three story building, three accessible unit going to add another accessible unit.

The doors vary 28 – 32 inches. AAB 29 three sets of stairs going to grade, all the entrances are seen from north Washington Street. Looking for relief from making ramps.

Inside the building there is an historic stair.

Another stair near elevator risers more than 7 inches high. Towards rear of building we are asking for an accessible lift.

JM – we are not asking for a variance for that.

JD - AAB 12 that didn't remove any of these variances?

JM - Correct.

PB- on AAB 30 showing one of the two accessible units. There is a level change, it would be difficult to raise and difficult to build a ramp request #4.

Request #1

JM – Entrances to main hotel only Mahue building will have fully accessible entrance. We are proposing a ramp. We disbursed the entrances and will add signage.

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RJ – this entrance is the main entrance to the building. A high percentage of people come into the front where the ramp is.

HR - Where are the parking spaces? How many spots.

PB- 2 and there are additional spots.

HR – what is the door type entrance?

PB – It will be a crash bar.

JM - Is a push button required.

JD – As long as you meet door requirements under the code you do not need an automatic door.

JM – Both impracticability and excessive cost.

JM - The porch is accessible.

David Johnson- what is the distance between the door handrail and the door.

PB - 4 ½ feet.

D Johnson - It might be a good idea to have an auto door opener.

JM - If approaching52 inches.....perhaps we will study that.

DG – Wheel to it and then pull.

RJ – We haven't evaluated it yet. But would commit to evaluating it.

JD - Does that door lead into hotel?

Yes.

JM – Check-in point.

~~JD motioned item 1 AAB 12 to grant on all. JH seconded, passed unanimously.~~

JD withdrew previous motion

JM - the accessible entrance near the main entrance will have grippable rails.

WW – Are you adding a compliant handrail?

PB - We would have to run it by the historic commission.

JM - That was part of the request.

JD motioned to grant on 20.1, 22, and 25.1, with appropriate signage.

DG seconded, passed unanimously.

JD motioned to continue on 27.4.3 and 27.4.5 for further study on grippable handrail and nosings by August 9, 2018. JH seconded, passed unanimously.

RJ meeting with historical on the 26th will bring it up.

#2

JM – Two different stairs in hotel. Stair 1 in lobby does not have compliant handrails, would like it to remain as is. Does not comply. We are adding two new elevators to serve entire building.

WW – Is it curved or flat?

RJ - This one seems wider to me. 3 ½ inches?

JM - It is an egress stair.

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D Johnson - Is there a handrail once it goes above?

WW - Can you put a wall side handrail?

RJ - Yes

JD motioned to grant on condition of wall side handrail be provided p 20, figure 7.

PM seconded, passed unanimously.

2B

JM – The issue is that the treads vary. Required to be all uniformed. The building official is fine with how it is.

DG -Is it an egress stair?

JM - Yes. 36 inches wide.

DG - looks narrow.

HR - are the nosings uniform.

AB –

JM – building officials don't usually confirm but we have it in our notes.

JM – the building official has considerable leeway.

PM - have you considered fixing the riser discrepancy by putting in a layer?

PB - it is not on one particular riser.

JD motioned to grant. JH seconded, passed unanimously.

Variance #3

JM – the hotel has 37 will have 36 after renovations. 17 will have door problems. They are 29-31 inches wide.

JM - we would have to reframe the building.

1891 built. With different additions. Different levels.

JM- it would be a gut of the entire building, technology infeasible.

PM – on this wing on the right you can accommodate the proper clearance?

PB - yes.

RJ - they are already in compliance.

PM - is that where you are proposing the accessible units?

Yes.

JM - we would do as many doors as we could but...without massive upgrades.

JD motioned to grant as proposed. JH seconded, HR abstained, AB abstained, D Johnson abstained. Motion passed.

#4

There are two locations not feasible to make accessible.

Constraints of the building. AAB 23

JM seven out of thirty-seven would not have accessible route.

RJ - GC couldn't come up with a solution.

DG motioned to grant on condition handrails and nosings comply.

JH seconded, passed unanimously.

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Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

#5

Proposing three adjacent doorways to be accessible. Structural issue.

WW- How many are not wide enough?

4 accessible units, 3 will have compliant 32 inch, 41 would remain as is.

DG - Would an offset hinge work?

PB- In some units it may be possible. First two levels....then you get to the third floor there is not.....

RJ - Evaluating metal track frames.

We can't guarantee 32.

HR motioned to grant. JH seconded, David Johnson abstained.

#6 Cottages

They are a different type of unit. 146 total rooms, 8 accessible. Porches plan to build two new that will be accessible. Will have ramps

Long term we will be compliant.

HR motioned to grant a three year time until 7/1/2021 with reports to the board every 6 months beginning January 1, 2019 until completion of cottages. D Johnson seconded.

WW Left the meeting.

JH chaired the meeting.

3:00 p.m. – Berlin Town Hall, 12 Woodard Avenue, Berlin (V18-141) - Variance Hearing
Exhibit #1 – Hearing Package AAB 1-51

All parties were sworn in.

Joseph Atchue, Building Inspector, Town of Berlin

Thomas Andrew ADA Coordinator, Town of Berlin

Thomas Chalmers, Architect, Austin Design

TA – Has historic features. On a constrained piece of property. Challenged in front by steep slope and granite steps.

\$900,000 project to provide for an elevator wing in the back, parking on the side. The building is accessible with one midlevel exception.

TC- heart of project was to build new entrance. There is a walk less than 5%.....elevator goes to auditorium stage level.....

The cost was well over 30%. The package is all the non-compliant items. Packet lists

July 16, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

V1

Existing main entrance. Granite steps, steep. Tried to make new entrance take over the front.

David j – the handrails.

TC- we are moving all the activities to the back. The steps are dangerous.

DG are you discouraging people to use?

TC - We have signage.

DG - What are the stairs on 27 for?

TA – They have been there a long time. It appears someone thought it would be good to put in steps and walk to driveway. It was probably done 1920.

DG - Will the front doors be used? Or is it historic.

TA – We are sending by signage around. There is a lock and it could be locked. It can be opened. The hardware is up to code.

Variance 1

DJ motioned if it is used for egress only, there must be signage saying it is egress only, if it is used, handrails need to be compliant. DG seconded, passed.

Variance 2

TC – this is egress only. There is not hardware to enter.

DG - Can you have an area of refuge on the front porch?

JA – Probably about 5 or 6 inches.

AB – 20.11

JA - The building is historical.

AB – Recommend they have a letter from the historic commission.

JD - Usually mass historic sends a letter.

JD – These aren't going to meet area of refuge.

DG building inspector – do you have concerns?

JA - As it stands right now, no issues. More than adequate room to get people out.

DG motioned to grant. HR seconded, AB abstained, David Johnson Abstained. Motion passed.

JD Mass historical letter must be provided. DG seconded, passed unanimously.

Variance 3

JH – it says new elevator for access, are you providing signage for people to be discouraged to use stairs.

TC - Yes.

David Johnson - handrail – is it 28 inches, balusters are they more than 4 inches? Not planning on correcting them? It is not good.

AB – Guardrail what should it be? David Johnson.....

JH – I am picturing a kid getting their head stuck between. There are safety issues. Maybe can prohibit use of these.

JD - Have you considered closing this?

JA - All of the main egress is at back of building. I would be in favor of chaining top and bottom with signage.

~~*JD motioned to grant on condition top and bottom of stairs are chained off with signage.*~~

JD withdrew his motion.

July 16, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

TA –If it is necessary we can and would comply. I do have some concerns, if chained, if there is an emergency it is a way out. The building can be closed off with doors during public events. The top floor has double doors that can be closed. I would prefer to do it with signage and use the existing doors to manage use of stairs.

JH – What goes on in the building?

TA- On the second floor we have a performance venue. Originally was town meeting room. Now public performance, available for rentals. Not used at this point for governmental activities, we might. Not used every day.

JD -Maybe closing the stairs in a manner that works.

JD motioned to grant on the condition the petitioner comes back to the Board with the policy on closing the doors. HR seconded, DG abstained, motion passed.

AB- Is there space for more than 50 people?

JA – yes

AB – Is there panic hardware?

There is. It is in place.

David Johnson left the meeting.

Variance 4

We would like to keep them there. There are railings on both sides.
2 inches diameter. Height 32 inches.

DG motioned to grant. PM seconded, passed unanimously.

Variance 5

*DG motioned to grant with the condition of wall side handrails.
JD seconded, passed unanimously.*

Variance 6

JD grant with signage, DG seconded, passed unanimously.

Variance 7

TA- not be used in conjunction with memorial hall.

DG motioned to grant. HR seconded, passed unanimously

Variance 8

JD motioned to grant. HR second, passed unanimously.

July 16, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

17) Advisory Opinion

- Day Elementary School Playground, Westford
Accessible route surface material

New playground proposing bonded wood fiber surface.

JD motioned to accept their offer. JH seconded, passed unanimously.

18) Curb Cuts and Sidewalks, Multiple Locations, Boston, V18-200

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

JD motioned to grant as proposed on location 1, 21.3 and 21.6.

PM seconded, passed unanimously.

~~*JD location 2 grant. DG seconded*~~

JD withdraw previous motion.

PM motioned to continue on location 2, 22.3.1. HR seconded, passed unanimously.

Location 3

PM motioned to continue to explore portion of sidewalk to be compliant and leaving furniture zone. HR seconded, passed unanimously.

Location 4

JD motioned to grant on location 4, 21.3 and 22.3.1, DG seconded, passed unanimously.

5 condition 1

JD motioned to grant. DG seconded, passed unanimously.

5 condition 2

JD grant on the condition signage is provided directing people across the sidewalk. DG second, passed unanimously.

Vote on Minutes from the June 18, 2018 meeting

Minutes HR motioned to approve the minutes from the July 2, 2018 meeting.

AB seconded, passed unanimously.

Due to time restrictions, the following cases will be presented at the July 30, 2018 meeting.

Wellfleet Historical Society, 258, 262, 266 Main Street, Wellfleet, V17-074

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Street Level Café, 125 Newbury Street, Boston, V17-159

Exhibit – Variance Application and associated documents

July 16, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Mr. Joyce presented the Variance Application and associated documents.

McDonald House, 270-276 Main Street, Marlborough, V18-124

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Paddock Estates, 1 Paddock Lane, Boxborough, V18-131

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Lown School for Near East and Judaic Studies, 415 South Street, Waltham, V18-161

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Church of Jesus Christ of Latter-day Saints, 747 Federal Furnace Road, Plymouth,

V18-184 Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

United First parish Church, 1306 Hancock Street, Quincy, V18-185

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Residential 7 Unit Building, 52 River Street, Mattapan, V18-197

Exhibit – Variance Application and associated documents

Mr. Joyce presented the Variance Application and associated documents.

Emerson Green Development, Devens – Townhouses

Matters not reasonably anticipated 48 hours in advance of meeting.

Adjourn 5:00 p.m.

Exhibits

Westminster Court Apts., 30-108 Westminster Avenue, Roxbury, V18-213
Variance Application and associated documents

Variance Application and associated documents
New Multi-Family, 259 Gold Street, Boston, V18-214

Village Hill Cohousing, Orlander Drive, Northampton, V18-215
Variance Application and associated documents

Shady Hill School Building 512 Renovations, 178 Coolidge Hill, Cambridge, V18-217
Variance Application and associated documents

Refuge Church of Christ, 46 Milmont Street, Roxbury, V18-218
Variance Application and associated documents

Kingdom Hall of Jehovah's Witnesses, 1672 Washington Street, Newton, V18-219
Variance Application and associated documents

Saint Nicholas Orthodox Church, 64-66 Forrester Street, Salem, V18-220
Variance Application and associated documents

Newbury Street Sidewalk, 28 Newbury Street, Boston, V18-221
Variance Application and associated documents

Martha's Vineyard Museum, 151 Lagoon Pond Road, Martha's Vineyard, V18-222
Variance Application and associated documents

Fresh Pond Place Condo, 676 Huron Avenue, Cambridge, V18-223
Variance Application and associated documents

Nativity Prep School, 66 Spring Street, New Bedford, V18-224
Variance Application and associated documents

School of the Museum of Fine Arts, 230 The Fenway, Boston, V14-201
Variance Application and associated documents, status report

Mixed-use High Towers, 131-147 Seaport Blvd., Boston, V17-069
Variance Application and associated documents, valet policy

Tewehado Church of Boston, 24 Maywood Street, Roxbury, V17-115
Variance Application and associated documents, amended application

Stokes Hall, 59-107 College Road, Chestnut Hill, V18-108
Variance Application and associated documents

July 16, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.
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South High Community School, 170 Apricot Street, Worcester, V18-186

Curb Cuts and Sidewalks, Multiple Locations, Boston, V18-200
Variance Application and associated documents

Day Elementary School Playground, Westford, accessible route surface material
Advisory opinion

The 1620 Winery, 55 Cordage Park Road, Plymouth (V17-315)
Hearing Package AAB 1-70

Jefferson Hills Apartments, 1610 Worcester Road, Framingham (C14-115, V17-337)
Exhibit #1 – Hearing Package AAB 1-127

Harborview Hotel, 131 North Water Street, Edgartown (V18-174)
Exhibit #1 – Hearing Package AAB 1- 69

Berlin Town Hall, 12 Woodard Avenue, Berlin (V18-141) - Variance Hearing
Exhibit #1 – Hearing Package AAB 1-51

July 16, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.
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